

# **EXHIBIT B**

**ANDERSON KILL & OICK, P.C.**

COPY

## **Attorneys and Counselors at Law**

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[www.andersonkill.com](http://www.andersonkill.com)

Jerry S. Goldman, Esq.  
jgoldman@andersonkill.com

***By Hand Delivery***

October 17, 2013

Honorable George B. Daniels  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United  
States Courthouse  
500 Pearl Street, Room 630  
New York, NY 10007-1312

U.S. DISTRICT COURT  
October 17, 1963

**Re:** *In Re Terrorist Attacks on September 11, 2001,*  
03-MD-1570 (S.D.N.Y.) (GBD) (FM) (relates to *Estate of John P.*  
*O'Neill, Sr., et al. v. Kingdom of Saudi Arabia, et al.*, No. 04-CV-  
1922 (GBD) (FM))

**Dear Judge Daniels:**

I represent the plaintiffs in the O'Neill litigations and serve on the Plaintiffs' Executive Committee for Personal Injury and Death Claims.

On November 2, 2004, my former colleague Gina M. MacNeill delivered a letter to Clerk of the Court J. Michael McMahon concerning service of the Complaint in this action<sup>1</sup> on the Syrian Arab Republic ("Syria") and the Republic of Sudan ("Sudan"). Ms. MacNeill requested that the Clerk serve the Complaint on Syria and Sudan pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1608 *et seq.* ("FSIA"). A copy of Ms. MacNeill's letter is enclosed herewith as Exhibit A. Specifically, Ms. MacNeill requested that the Clerk serve the Complaint pursuant to 28 U.S.C. § 1608(a)(3).

Subsection (a)(3) provides for service "...to be addressed and dispatched by the clerk of the court to the head of the ministry of foreign affairs of the foreign state concerned." The Clerk served the Complaint and accompanying documents on Syria and Sudan in accordance with subsection (a)(3) on November 10, 2004. However, in the Certificate of Mailing filed by the Clerk the same day, the wrong subsection number of the FSIA was listed. The Certificate listed subsection (a)(4), which concerns service

<sup>1</sup> There are three O'Neill litigations as part of this multi-district litigation. This letter only applies to the above-referenced litigation, 04-cv-1922.

**New York, NY ■ Ventura, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA**

nydocs1-1010821.1

**Anderson Kill & Olick, P.C.**

Hon. George B. Daniels  
October 17, 2013  
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via the U.S. Secretary of State, rather than subsection (a)(3). A copy of the inaccurate Certificate of Mailing, entry number 548 on the 03-MD-1570 docket, is enclosed herewith as Exhibit B.

We respectfully request that the Court issue an order correcting the error in the original Certificate of Mailing.

If Your Honor has any questions concerning this correspondence, please do not hesitate to contact me.

Respectfully submitted,

Jerry S. Goldman

Enclosures

cc: Magistrate Judge Frank Maas (by Hand Delivery)  
All Counsel (via email)

## **EXHIBIT A**

LAW OFFICES OF  
**JERRY S. GOLDMAN & ASSOCIATES, P.C.**

A NEW YORK PROFESSIONAL CORPORATION DULY QUALIFIED TO TRANSACT  
BUSINESS WITHIN THE COMMONWEALTH OF PENNSYLVANIA

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TWO PENN CENTER PLAZA • SUITE 1411  
1500 JFK BOULEVARD  
PHILADELPHIA, PA 19102  
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111 BROADWAY • 13<sup>TH</sup> FLOOR  
NEW YORK, NY 10006  
TEL: 212.242.2232 • FAX: 212.346.4665

3109 STIRLING ROAD • SUITE 101  
FORT LAUDERDALE, FL 33312  
TEL: 954.981.6633 • FAX: 954.989.8068

Reply To: PHILADELPHIA

November 2, 2004

By Hand

J. Michael McMahon  
Clerk of the Court  
U.S. District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

Re: *In Re Terrorist Attacks on September 11, 2002*  
MDL 1570  
O'Neill et al v. Kingdom of Saudi Arabia et al  
Case No.: 04-CV-1922

Dear Mr. McMahon:

On behalf of the Plaintiffs, relative to the above-referenced case, we are seeking service on various agencies, as listed below, of The Syrian Arab Republic and the Republic of Sudan, pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. Section 1608(b)(3)(B). We have included fourteen (14) copies, both in Arabic and English, one (1) to go to each of the thirteen (13) defendants, listed below, and one (1) for the Court's file, of:

1. The Complaint;
2. Notice of Suit;
3. Summons; and
4. Affidavit from the translator as to his/her qualifications and accuracy of the translation.

We respectfully request that you serve these documents to the defendants listed below at the following addresses:

**LAW OFFICES OF JERRY S. GOLDMAN & ASSOCIATES, P.C.**

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- 1) Ministry of the Interior  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 2) Ministry of Defense  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 3) Security of the Revolution  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 4) Military Intelligence  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 5) State Security  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 6) Popular Defense Force  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street

**LAW OFFICES OF JERRY S. GOLDMAN & ASSOCIATES, P.C.**

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Khartoum, Sudan

- 7) Revolutionary Security Services  
c/o Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan
- 8) National Security Directorate  
c/o Farouk Al-Shara  
Foreign Minister of the Syrian Arab Republic  
Ministry of Foreign Affairs  
Muhareen Shora Ave.  
Damascus, Syria
- 9) Republic Guard  
c/o Farouk Al-Shara  
Foreign Minister of the Syrian Arab Republic  
Ministry of Foreign Affairs  
Muhareen Shora Ave.  
Damascus, Syria
- 10) Ministry of Interior  
c/o Farouk Al-Shara  
Foreign Minister of the Syrian Arab Republic  
Ministry of Foreign Affairs  
Muhareen Shora Ave.  
Damascus, Syria
- 11) Military Intelligence Service  
c/o Farouk Al-Shara  
Foreign Minister of the Syrian Arab Republic  
Ministry of Foreign Affairs  
Muhareen Shora Ave.  
Damascus, Syria
- 12) Air Force Intelligence  
c/o Farouk Al-Shara

**LAW OFFICES OF JERRY S. GOLDMAN & ASSOCIATES, P.C.**

November 2, 2004

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By:   
GINA M. MAC NEILL, ESQUIRE

Enc. a/s

cc: Jerry S. Goldman

Josh Ambush

## **EXHIBIT B**

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#14

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FILED  
U.S. DISTRICT COURT

2004 NOV 10 P 11:03

CERTIFICATE OF MAILING  
S.D. OF N.Y.

O'NEILL, et al.

Plaintiff,

-v-

KINGDOM of SAUDI ARABIA, et al.

Defendants..

04cv 1922(RCC)

I, J. Michael McMahon, Clerk of Court for the Souther District of New York, do hereby certify that on the

November 10, 2004

I served the

SUMMONS & COMPLAINT  
NOTICE OF SUIT, CERTIFICATE OF AUTHENTICITY FROM TRANSLATOR

pursuant to the foreign sovereign immunities Act (28 U.S.C. §1608(a)(4)), filed and issued herein on the

March 10, 2004

by mailing by registered mail, return receipt requested, at the United States Post Office, Chinatown Station, New York, NY, a copy of each thereof, securely enclosed in a post-paid wrapper addressed to:

See attached for listing of Defendants

That annexed to the original hereof is registered mail receipt(s)

#RB 632 887 098 #RB 632 887 107 #

(Chinatown Station) that was issued at my request as aforementioned,

J. Michael McMahon  
CLERK

Dated: New York, NY

Case 1:03-md-01570-GBD-FM Document 548 Filed 11/10/04 Page 2 of 3

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
OFFICE OF THE CLERK  
500 PEARL STREET  
NEW YORK, NEW YORK 10007

J. MICHAEL McMAHON  
CLERK

November 10, 2004

Dr. Mustafa Osman Ismail  
Minister of External Relations  
Ministry of External Relations  
P.O. Box 873  
Gamma Street  
Khartoum, Sudan

Re: O'Neil et al v. Kingdom of Saudi Arabia et  
al 04 Cv. 1922

Dear Sir/Madam:

Pursuant to the Foreign Sovereign Immunities Act (28 U.S.C. §1608(a)(4)), please find one copy of the following documents being served on you on behalf of the plaintiff in the above-referenced action which names your agency, an instrumentality of a Foreign State, as defendants:

Summons  
Complaint  
Notice of Suit  
Affidavit from Translator

The above-mentioned documents are in Arabic, your country's official language.

Respectfully yours,

*Joe LaMura*

Joe LaMura  
Chief Deputy

Enc.

Case 1:03-md-01570-GBD-FM Document 548 Filed 11/10/04 Page 3 of 3

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
OFFICE OF THE CLERK  
500 PEARL STREET  
NEW YORK, NEW YORK 10007

J. MICHAEL McMAHON  
CLERK

November 10, 2004

Farouck Al-Shara  
Foreign Minister of the Syrian Arab Republic  
Ministry of Foreign Affairs  
Muhareen Shora Ave.  
Damascus, Syria

Re: O'Neil et al v. Kingdom of Saudi Arabia et  
al 04 Cv. 1922

Dear Sir/Madam:

Pursuant to the Foreign Sovereign Immunities Act (28 U.S.C. §1608(a)(4)), please find one copy of the following documents being served on you on behalf of the plaintiff in the above-referenced action which names your agency, an instrumentality of a Foreign State, as defendants:

Summons  
Complaint  
Notice of Suit  
Affidavit from Translator

The above-mentioned documents are in Arabic, your country's official language.

Respectfully yours,

*Joe LaMura*

Joe LaMura  
Chief Deputy

Enc.